

**Introduced by Senator Ducheny**

February 22, 2005

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An act to amend Section 71 of Chapter 67 of the Statutes of 1962, First Extraordinary Session, relating to port districts.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1007, as introduced, Ducheny. San Diego Unified Port District Act: retirement and disability benefits.

The existing San Diego Unified Port District Act establishes the San Diego Unified Port District, prescribes the powers and duties of the district, and provides for the transfer to the district of specified tidelands and lands lying under inland navigable waters in San Diego. The act requires that all employees of San Diego County or any city within the county who are performing duties in connection with the Port of San Diego or the respective harbor departments, be considered as employees of the district, and authorizes the district to contract with the State Employees' Retirement System and provide retirement and disability benefits for employees under the State Employees' Retirement System, pursuant to its rules and regulations. The act further authorizes the district, by contract, to continue those employees of the district who are covered as members of the system of which they were members while they were employees of the respective cities.

This bill would revise those provisions governing employee retirement and disability benefits to also authorize the district to contract with any other employee retirement and disability system or to establish an independent employee retirement and disability system.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 71 of Chapter 67 of the Statutes of 1962, First Extraordinary Session, is amended to read:

SEC. 71. (a) Upon the establishment of the district, all ~~person~~ *persons* then occupying the several offices of or under the government, of the county and each of the cities included therein, except as otherwise provided, whose several powers and duties are within the powers of the district or within the powers or duties of the several officers thereof, shall immediately quit and surrender the occupancy or possession of ~~such those~~ offices, which shall ~~there-upon~~ *thereupon* cease and determine, except as to any persons who have powers and perform duties for the county and the cities other than those mentioned, whose offices shall not cease and determine as to ~~such those~~ other powers and duties, but shall continue with respect thereto the same as if the district had not been established.

(b) ~~Notwithstanding the provisions contained in this section subdivision (a),~~ all employees of the county and any city performing duties in connection with the Port of San Diego or the respective harbor departments, shall be blanketed in as employees of the district.

(c) *The district may do all of the following with respect to retirement and disability benefits for its employees:*

(1) *Contract with the State Employees' Retirement System and provide retirement and disability benefits for employees under the State Employees' Retirement System pursuant to its rules and regulations.*

(2) *Contract with any city included within the district that has a retirement system for retirement and disability benefits for district employees.*

(3) *Contract with any other employee retirement and disability system.*

(4) *Establish an independent employee retirement and disability system.* ~~and the district is empowered to contract with the State Employees' Retirement System and may provide retirement and disability benefits for employees under the State Employees' Retirement System pursuant to its rules and regulations. The district may, by~~

1     (5) *By contract, continue—such those* employees of the district  
2     so blanketed in, as members of the retirement system of which  
3     they were members while they were employees of the respective  
4     cities.

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